

### **REMARKS**

Applicants respectfully request reconsideration of this application in view of the foregoing amendment and following remarks.

#### **Status of the Claims**

Claims 1-73 were originally pending in this application. Claims 14-20, 41-53 and 67-73 are withdrawn from consideration. As a result, claims 1-13, 21-40 and 54-66 are currently pending. Claims 1, 21, 31 and 54 are independent. By this Amendment, independent claims 1, 21, 31 and 54 are amended. No new matter has been amended by this Amendment.

#### **Rejection under 35 U.S.C. §102**

Claims 1-13, 21-40 and 54-66 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,035,323 to Narayen et al. ("Narayen").

Narayen discloses a method and apparatus for publishing a collection of digital media on a network. For example, a digital processing system having a digital camera generates images and builds an album format of the generated images with layout and style of an album. The album format and images are then transmitted to a server system in the network where the album format data and pictures are saved with a web-viewable format (e.g., HTML format). A user then can request to view the album to the server and the server, upon checking the access authorization, generates an appropriate page of an album and present the album to the user.

The Examiner indicates among other things that Fig. 12B of Narayen discloses the "associated photographing condition" in photographing the image as in the pending claims of the present invention. The Examiner further indicates that a portion of Narayen (i.e., col. 14, lines 1-56) discloses the "storing" the image and associated photographing condition of the pending

claims.

As Applicants explained in a previous response filed on January 27, 2004, one of the aspects of the present invention as commonly featured in independent claims 1, 21, 31 and 54 displays a photographed image and associated photographing condition. The user then, while monitoring the image, selects the image and requests the image to be stored along with the photographing condition. This enables a user to save a unique setting of camera control values of a specific image and to readily select the saved setting for future use.

In contrast, Figs. 12A, 12B, 12C of Narayen illustrate views of a graphical user interface (GUI) used as a picture management system in which a user can store image data and create an album format using the image data. In particular, col. 14, lines 22-34 of Narayen describes:

As can be seen from FIGS. 12A, 12B, and 12C, the attributes or properties for each image may include the title of the image, when the picture was taken, where the picture was taken, who was in the picture, the photographer of the picture, text comments, as well as file properties (e.g. file type, number of pixels, file size, path name, date the file was last modified) etc. The picture properties may include, as shown in window 1211b, a list of all the albums in which this picture is included. It will be appreciated that the text shown in window 1211 is typically entered by a user; this text may be useful later when searching for a particular picture (e.g. such as searching for all pictures which have Jennifer and Lindsey in the picture).

As indicated above, the stored information of the image are the general information of the image such as attributes or properties of the image, and not a photographing condition such as camera control values of a specific image as required by the pending claims of the present invention. See, for example, of Fig. 22 of the original specification of the present application where exemplary camera control values are shown as F number and shutter speed etc.

Accordingly, Applicants believe that each of independent claims 1, 21, 31 and 54 is neither anticipated by nor rendered obvious in view of Narayen for at least the reasons discussed

above.

Nonetheless, independent claims 1, 21, 31 and 54 have been amended for further clarification. In particular, each of amended claims 1, 21, 31 and 54 recites that an associated photographing condition is “represented by values used for controlling the image sensing apparatus for photographing the image.”

Applicants believe that each of independent claims 1, 21, 31 and 54 as amended is further distinguishable over the cited reference (i.e., Narayen).

Reconsideration and withdrawal of the rejections of claims 1, 21, 31 and 54 under 35 U.S.C. §102(e) is respectfully requested.

Applicants have not individually addressed the rejections of the dependent claims because Applicants submit that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicants however reserve the right to address such rejections of the dependent claims should such be necessary.

Applicants believe that the application is in condition for allowance and such action is respectfully requested.

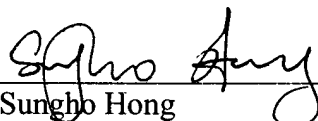
**AUTHORIZATION**

A petition for a two-month extension of time along with the associated fee is enclosed, extending the date for responding until August 5, 2004. Should an additional extension of time be required to render this paper timely filed, such extension is hereby petitioned and the Commissioner is authorized to charge any other fees necessitated by this Amendment, or credit any overpayment to our Deposit Account No. 13-4500 (Order No. 4582). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,  
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Dated: July 26, 2004

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